

Collaborator No.: 3937968
Reference / Verwysing: Portion 1 & 279 of Kraaibosch Farm 195, Division George
Date / Datum: 03 March 2026
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OWEN O'REILLY
HOA OFFICE KRAAIBOSCH MANOR ENTRANCE
KNYSNA ROAD
GEORGE
6529

**APPLICATION FOR AMENDMENT OF THE CONSTITUTION FOR KRAAIBOSCH COUNTRY ESTATE AND
MANOR HOMEOWNERS' ASSOCIATION: PORTION 1 AND 279 OF FARM No. 195 KRAAIBOSCH,
DIVISION GEORGE**

Your application in the above regard refers.

The Senior Manager: Town Planning (Authorised Official) has, under delegated authority, 4.17.3.13 of 24 April 2025 decided that:

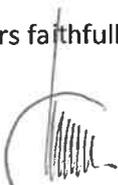
Application in terms of Sections 15(2)(I) of the Land Use Planning By-Law for George Municipality, 2023 for amendment of the Constitution of the Kraaibosch Country Estate and Manor Homeowners' Association as approved in terms of the conditions of approval dated 21 April 2006 on Portion 1 & 279 of Kraaibosch Farm 195, Division George;

BE APPROVED in terms of Section 60 of the said By-law for the following reasons:

Reasons for decision:

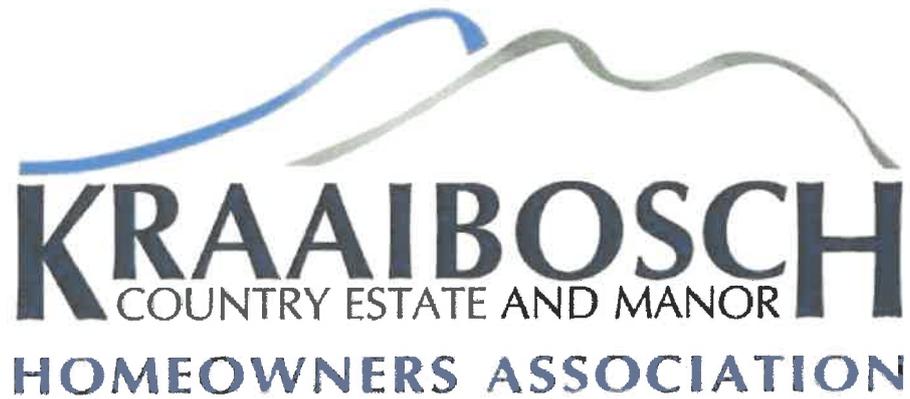
The approval complies with the requirements of Section 29 of the Land Use Planning Bylaw for George Municipality, 2023.

Yours faithfully



C PETERSEN
SENIOR MANAGER: TOWN PLANNING

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CONSTITUTION

of the

**Kraaibosch Country Estate and Kraaibosch Manor
Homeowners Association**

A voluntary home owners association established in 2006, and mandated by section 29 of the Land Use Planning By-Law of George Municipality, 2023

Contents

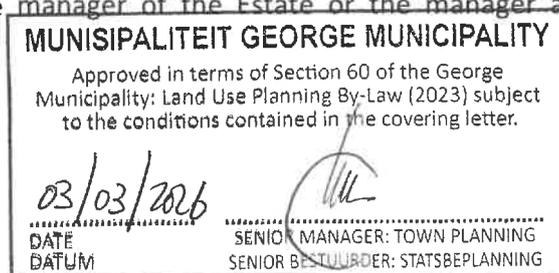
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MUNISIPALITEIT GEORGE MUNICIPALITY	
Approved in terms of Section 60 of the George Municipality: Land Use Planning By-Law (2023) subject to the conditions contained in the covering letter.	
03/03/2026	
DATE DATUM	SENIOR MANAGER: TOWN PLANNING SENIOR BESTUURDER: STADSBEPLANNING

1. Definitions

In this Constitution, the following words and expressions shall have the following meanings, unless the context indicates otherwise:

- 1.1. "Architectural Guidelines" means the guidelines formulated to govern the structures and appearances of buildings and gardens at the Estate.
- 1.2. "approvals" means the statutory approvals and conditions granted or imposed by any competent authority with jurisdiction at the approval of the Estate and the Association in terms of applicable legislation, including the environmental authorisation in terms of the National Environmental Management Act 107 of 1988 and the planning approvals granted by the Local Authority in terms of the Local Use Planning Ordinance 15 of 1985 or in terms of the By-Law.
- 1.3. "Association" means the Kraaibosch Country Estate and Kraaibosch Manor Home Owners Association established in terms of Section 29 of the By-Law.
- 1.4. "By-Law" means the George Municipality Land Use Planning By-Law as published in Western Cape Provincial Gazette No. 8747 of 21 April 2023 (as amended).
- 1.5. "chairperson" means the chairperson of the Board of Trustees.
- 1.6. "communal areas" means an erf or erven owned by the Association and "common property" shall have the same meaning.
- 1.7. "Constitution" means this document as amended from time to time.
- 1.8. "contractor" means any person or legal entity that the Association has contracted with to deliver goods and/or services to the Association.
- 1.9. "CSOS Act" means the Community Schemes Ombud Services Act, (9 of 2011), including the Regulations made in terms of the said Act;
- 1.10. "CV" means curriculum vitae – a detailed document highlighting a person's competencies and experience inclusive of professional and academic history.
- 1.11. "days" means calendar days.
- 1.12. "document" means a physical or electronic document, including an Email.
- 1.13. "erf" means a property, as defined in section 102 of the Deeds Registries Act, (47 of 1937).
- 1.14. "erven" means more than one erf collectively.
- 1.15. "Estate" means the Kraaibosch Country Estate and Kraaibosch Manor.
- 1.16. "estate manager" means the estate manager of the Estate or the manager appointed by a managing agent.



- 1.17. "good standing" in respect of a member means a member that is not more than 30 days in arrears in respect of any levy.
- 1.18. "improvements" means any structural work undertaken on an erf and includes erf fences.
- 1.19. "in writing" includes by email.
- 1.20. "Kraaibosch Country Estate and Kraaibosch Manor" means the property originally described in the Department of Environmental Affairs and Development Planning's Record of Decision dated 9/1/2005, addressed to Kraaibosch Residential Estate (Pty) Ltd as: *certain immovable property being remainder Portion 1 of the farm Kraaibosch No. 195 AND Portion 2 (a Portion of Portion 1) of the farm ZWART RIVIER NO. 194 in the Municipality & Division of George*. After being subdivided and after portions of said property were sold, the property now consists of two geographical parts, known as Kraaibosch Manor and Kraaibosch Country Estate as defined in this Constitution, which together comprises the Kraaibosch Country Estate and Kraaibosch Manor.
- 1.21. "Kraaibosch Country Estate" consists of the following erven within the George Municipal Area, identified with their George Municipal erf numbers as they appear on the George Integrated Zoning Scheme as it was on 1 October 2023 and includes any subsequent erf subdivisions and consolidations:
 erven designated as Single Residential Zone II:
 23991 to 23994, 23998 to 24022, 24024, 24026, 24027, 24029 to 24048, 24050 to 24063.
 24065 to 24118, 24121 to 24127, 24129 to 24153, 24155 to 24161, 24163 to 24169,
 24171 to 24177, 24179 to 24181, 24183 to 24186, 24188 to 24194, 24196 to 24275
 erven designated as Transport Zone III: 24440 to 24445
 erven designated as Open Space Zone II: 23995, 23997, 24028, 24049, 24064, 24441, 24128,
 24182, 24195, 24187, 24182, 24178, 24170, 24119, 24162, 24154
- 1.22. "Kraaibosch Manor" consists of the following erven in within the George Municipal Area, identified with their George Municipal erf numbers as they appear on George Integrated Zoning Scheme as it was on 1 October 2023 and includes any subsequent erf subdivisions and consolidations:
 erven designated as Single Residential Zone II:
 24277 to 24294, 24296 to 24304, 24306 to 24366, 24369 to 24389, 24391 to 24411,
 24413 to 24439, 24655 to 24679, 24680.
 erven designated as Transport Zone III: 24681, 24446, 24447, 24448, 24645, 24646, 24647,
 24648, 24649
 erven designated as Open Space Zone II: 24412, 24305, 24295, 24654, 24276, 24367, 24390
- 1.23. "Kraaibosch Village HOA" means the separate and independent Homeowners Association constituted to govern the affairs of the Kraaibosch Retirement Village, which comprises a retirement village development created through further subdivision of erf 23996, which forms part of the development of the Remainder of Portion 1 of the Farm Kraaibosch No. 195, defined herein as the Kraaibosch Country Estate. The Kraaibosch Village Retirement Village was established in terms of 'LUPO 1985 (Ord. 15 Of 1985)', the Land Use Planning By-Law for George Municipality 2015' and the 'Housing Develop Schemes for Retired persons Act 65 of 1988'. The members of the KRAAIBOSCH VILLAGE HOA are the owners of properties in Kraaibosch Retirement Village.
- 1.24. "Local Authority" means the George Municipality, or any agent or contractor appointed by the George Municipality to act on its behalf.

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- 1.25. "member" means every registered owner of an erf and includes the Village member. If a member consists of more than one person such persons shall be jointly and severally liable in solidum for all obligations in terms of this Constitution.
- 1.26. "notice" means an email.
- 1.27. "online voting" means a vote by members via an online voting system.
- 1.28. "Operational Environmental Management Plan" means the operational portion of the Environmental Management plan produced for the Estate as approved by the Department of Environmental Affairs and Development Planning.
- 1.29. "owner" means a person in whose name a property in the development is registered in the Deeds Registry Office, Cape Town.
- 1.30. "part of the estate" means either Kraaibosch Country Estate or Kraaibosch Manor.
- 1.31. "person" means a natural person or persons or any legal entity capable of owning immovable property.
- 1.32. "physical" means written or printed on paper.
- 1.33. "resident" means any person who occupies a member's house in the absence of the member and includes tenants.
- 1.34. "resolution" means a resolution passed at a general meeting of the Association by an ordinary majority of the total votes represented at such meeting by members present in person or by proxy.
- 1.35. "rules" means rules and/or regulations issued in terms of this Constitution.
- 1.36. "signed" or "signature" means a physical or an electronic signature. In the case of an email, the email will be regarded as signed by the sender, unless the contrary is proven.
- 1.37. "spouse" means a person that resides with a member and is a partner of or married to that member. A physical document or an email by a member confirming the partnership or marriage and identifying the spouse will be sufficient proof of the status of a person as a spouse.
- 1.38. "Trustees" or "Board of Trustees" means the Trustees of the Association, elected or co-opted as such.
- 1.39. "Trustee" means a member of the Board of Trustees.
- 1.40. "Trustees email address" means such email address as the Trustees may from time to time publish on the Estate's website as the official email address of the Trustees.
- 1.41. "Village email address" means such email address as the Kraaibosch Village HOA may from time to time publish on the Kraaibosch Village website as the official email address of the Village HOA.

MUNICIPALITY OF GEORGE

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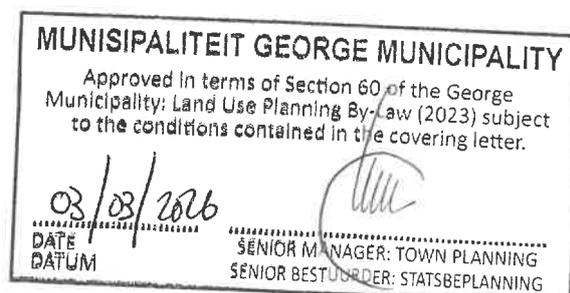
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- 1.42. "Village member" means the Kraaibosch Village HOA.
- 1.43. "virtual" means participation or attendance via electronic means.
- 1.44. "virtually" means to attend a meeting and/or to cast a vote via an electronic medium approved by the Board of Trustees.
- 1.45. "visitor" other than a member or a resident, every natural person who is present on the estate by permission of or on request of a member.

2. Interpretation

- 2.1. The clause headings in this Constitution are for convenience and shall be disregarded in construing this Constitution.
- 2.2. Unless the context clearly indicates a contrary intention, words referring to the singular shall include the plural and vice versa; any one gender shall include the other genders, and reference to natural persons includes all entities with legal status and vice versa.
- 2.3. When a number of days is prescribed in this Constitution, the days shall be calculated excluding the first and including the last day.
- 2.4. Where figures are referred to in words and in numerals and there a conflict between the two, the words shall prevail.
- 2.5. If any provision of this Constitution proves to be invalid for whatever reason, or in conflict with any Law of the Republic of South Africa, the invalidity of such a provision shall not affect the validity of the remainder of this Constitution.
- 2.6. Any waiver, relaxation, extension of time, delay or failure by the Association in exercising any right in terms of this Constitution shall not be construed as a waiver of that right and shall not operate as an estoppel against the Association, unless it has been reduced to writing and signed by the duly authorized representative(s) of the Association.
- 2.7. if any provision in a definition in this Constitution is a substantive provision conferring rights or imposing obligations on any of the members then, notwithstanding that it is only in the definition clause of this Constitution, effect shall be given to it as if it were a substantive provision in the body of this Constitution.



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3. Status

- 3.1. The Association shall not operate for profit but for the benefit of the members.
- 3.2. The Association shall continue to exist despite changes to its membership.
- 3.3. The Association shall be capable of owning property separate from its members.
- 3.4. The Association shall have legal personality and be capable of suing and being sued in its own name.
- 3.5. No member in his personal capacity shall have any right, title or interest to any of the funds and assets of the Association.
- 3.6. The Association shall be responsible for the enforcement of the terms and conditions of this Constitution, the control, administration, management, maintenance and upkeep of the Estate.
- 3.7. Transfer of ownership of all common property to the Association has been completed and all the erven constituting common property have been registered in the name of the Association.
- 3.8. The constitution of the Association and its establishment as a legal persona as envisaged in terms of Section 29 of the By-Law came into effect from the date upon registration of the first erf in the name of a member.
- 3.9. The sole object of the Association shall be to manage the collective interests common to all its members, which includes expenditure applicable to the common immovable property and the collection of levies for which such members are liable.
- 3.10. The Association is not permitted to distribute its funds to any person other than to a similar association of persons.
- 3.11. Upon the dissolution of the Association, its remaining assets will be distributed to a similar association of persons that is also exempt from income tax under section 10(1)(e) of the Income Tax Act 58 of 1962.

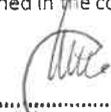
4. Objectives and Responsibilities of the Association

- 4.1. To oversee, maintain, secure and control the Estate and ensure the general high standard of the Estate.
- 4.2. To promote, advance and protect the Estate and the interests of the Association and the members.
- 4.3. To represent members in any matter affecting their collective interest.

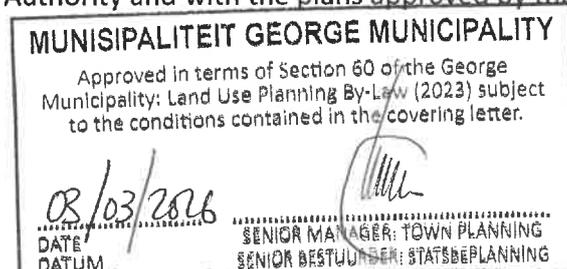
- 4.4. To regulate and control harmonious Estate living.
- 4.5. To administer and enforce rules issued in terms of this Constitution.
- 4.6. To control the transfer of erven in the Estate.
- 4.7. To administer the relevant aspects of the Operational Environmental Management Plan.
- 4.8. To regulate and conduct Association and Trustee meetings.
- 4.9. To collect levies and contributions from members.
- 4.10. To retain ownership of all the private open spaces, roads, and other land registered in the name of the Estate and to maintain, repair, improve such open spaces, roads and other land and associated stormwater drainage in good order and condition.
- 4.11. To assume responsibility for the payment of
 - 4.11.1 all rates and taxes, all service charges and other taxes and/or levies charged and payable to any authority in respect of the Common Property and/or
 - 4.11.2 the salaries and wages of the employees of the Association and expenses necessarily or reasonably incurred in connection with the management of the Association, and the Association's affairs, including all and any expenses reasonably or necessarily incurred in the attainment of the objects of the Association.
- 4.12. Access shall be provided to authorised municipal workers and their designated contractors for the inspection, maintenance, or repair of municipal infrastructure, including electricity, sewer, and water reticulation systems, as well as for water meter readings and waste removal. Such access shall be coordinated through the estate's security protocols, which may include identity verification and sign-in procedures, to maintain the safety and security of residents and property. This provision applies to the Municipality's emergency services, routine maintenance, replacements, meter readings, inspections, and refuse removal. The Association may not unreasonably withhold access; however, should access be denied without just cause, the Association will be responsible for any resulting costs.
- 4.13. None of the above objectives shall be exercised in such a way that it contravenes any statutory provision.

5. Architectural Guidelines

- 5.1 The Architectural Guidelines constitutes an integral part of this Constitution. It governs and directs all improvements, their maintenance and repairs in the Estate. The Architectural Guidelines is contained in Annexure "A" hereto.

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- 5.2 All improvements shall be of sound construction and shall comply with the provisions of the Architectural Guidelines.
- 5.3 No construction, erection or modification of improvements on an erf may commence prior to the approval first by the Association and then by the Local Authority of plans for such improvements.
- 5.4 The Association shall be the sole judge whether the plans and specifications conform to the Architectural Guidelines and its decision, which should be delivered within 2 months from the date of submission, shall be final and binding upon the member.
- 5.5 The member shall be liable for payment of the reasonable cost of professional scrutinising and examination of such plans by the Association as it may determine from time to time.
- 5.6 The Association shall require members or their contractors to pay a builder's deposit prior to approval of building plans by the Association. The amount of the deposit shall be determined by the Association from time to time.
- 5.7 plans shall be stored in perpetuity by the Association;
- 5.8 When effecting the construction, improvements or alterations or renovations contemplated in this clause, members shall at all times comply strictly with the Architectural Guidelines as well as all conditions and standards imposed by the Local Authority and with the plans approved by the Association and the Local Authority.



6. Membership

- 6.1. The members of the Association shall be every owner of an erf in the Estate. membership commences on the date of registration of transfer of an erf into the owner's name. Where an owner comprises more than one person or more than one legal entity, such persons or legal entities shall be deemed jointly to be one member of the Association and shall be responsible jointly and severally for the obligations of such membership. A member shall cease to be a member when he no longer holds title or part title to an erf in the Estate.
- 6.2. A member may provide any person, including a non-member, with a power of attorney to act on the member's behalf in all matters relating to the member's membership of the Association, including the attendance of general meetings, lodging of resolutions, voting at general meetings, voting for Trustees and voting online. Such power of attorney must be lodged with the Trustees at the Estate office and will remain valid until withdrawn by the member. The holder of the power of attorney may not transfer it to a third person. The member may not, while the power of attorney is valid, exercise any of the rights that are subject to the power of attorney.

7. Member Obligations

- 7.1. Every member is obliged to comply with all rules established in terms of this Constitution and all agreements concluded by the Association that may directly or indirectly impose obligations on a member.

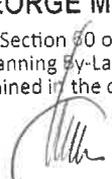
- 7.2. The members shall be jointly liable for operational expenses and capital expenditure incurred in terms of this Constitution.
- 7.3. A member cannot resign from the Association.
- 7.4. A member may not consolidate an erf with one or more other erven without the consent of the Association at a General meeting.
- 7.5. A member shall not subdivide an erf without the consent of the Association at a General meeting.
- 7.6. A member shall not alienate an erf unless the proposed transferee has been irrevocably bound in writing to become a member upon registration of the erf in the name of the transferee.
- 7.7. A member shall not alienate an erf unless the Association has issued a clearance that all amounts owing to the Association by such member have been paid and that the member is not in breach of any of the provisions of this Constitution. If for any reason the Association ceases to function, this clause will not apply and ownership by the member of an erf can be transferred without further authorisation.
- 7.8. No member shall let or otherwise part with the occupation of his erf whether temporarily or otherwise unless the proposed occupier has agreed in writing to be bound by the provisions of this Constitution and all rules issued in terms thereof.
- 7.9. The following condition will be embodied in the deed of transfer of each erf in the Estate as a condition of title:
 "The Transferee and all Successors-in-Title to the property hereby transferred, shall become members of the Kraaibosch Country Estate and Kraaibosch Manor Homeowners Association established in terms of Section 29 of Cape Ordinance No. 15 of 1985 and shall be entitled to the rights and subject to the obligations and restrictions set out in the Constitution thereof."

8. Timely Construction

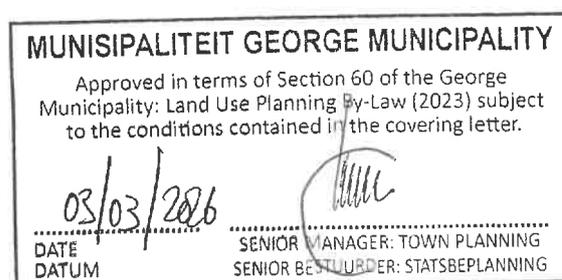
If no house exists on a member's erf, such member must within 2 years from the date on which he became a member, complete the construction of a house on his erf. If a member sells his unbuilt erf, the aforementioned period of 2 years shall start anew for the new member. If a member fails to complete construction as per this clause, the Trustees may impose a penalty levy on the member. The amount of such levy shall be determined by the Association.

9. Levies

- 9.1. The Trustees shall establish and maintain a levy fund or funds to meet all expenses and capital expenditures of the Association.

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- 9.2. The Trustees shall estimate the amount which will be required by the Association to meet its expenses and capital expenditures during each year, together with the estimated deficiency, if any, from the preceding year and must include in such estimate an amount to be held in reserve to meet anticipated future expenses and capital expenditure. Such estimation will include expenses and capital expenditures required for at least the following 10 years.
- 9.3. The Trustees shall, when capital expenditure is allocated between the two parts of the Estate, do so in a fair, reasonable and accountable fashion.
- 9.4. Members will contribute a monthly amount to the levy fund or levy funds to cover the operational expenses and capital expenditure of the Association. members shall determine the following at each annual general meeting and at any General Meeting:
 - 9.4.1. the amount of the monthly levy.
 - 9.4.2. such special levies as may be necessary together with the period over which such levies will be payable
 - 9.4.3. penalty levies to be imposed in terms of this constitution.
 - 9.4.4. Once determined, the aforesaid levies must be published on the Estate website as a schedule of levies and must also be sent to members.
- 9.5. Any amount due by a member by way of a levy shall be a debt due by him to the Association payable within such time as determined by the Trustees. The obligation of a member to pay a levy shall cease upon his ceasing to be a member save that he shall remain liable for all levies due up to the date upon which he ceases to be a member. No levies paid by a member shall be repayable by the Association upon his ceasing to be a member. A member's successor in title to an erf shall be liable as from the date upon which he becomes a member to pay the levies attributable to that erf.
- 9.6. The levy payable by a member shall bear the same proportion to the total levy imposed on members as that member's voting right bears to the total voting rights of all members.
- 9.7. All levies are due and payable by members on the first day of the month immediately following the month in which such liability arose and, thereafter, on the first day of each following month.
- 9.8. members shall be liable for payment of interest on outstanding amounts at a rate determined by the Trustees but not exceeding the Prime Lending Rate as determined by the South African Reserve Bank from time to time. Interest calculated at the determined rate is recoverable from the date on which the amount is due and payable to the date of payment provided that any portion of a month will be regarded as a full calendar month for the purposes of this calculation.



10. Breach

10.1. If any member fails in the observance of any of the provisions of this Constitution, or any rules made in terms thereof, the Trustees may at their discretion,

10.1.1 impose special levies upon members which shall be payable in one sum of or by such instalments and at such time or times as the Trustees shall decide or

10.1.2 notify such member to remedy such breach within the time specified in the notice. The member shall be afforded a reasonable period to remedy the breach. Failing timeous compliance the Trustees may:

10.1.2.1 institute proceedings in any court of competent jurisdiction for such relief as the Trustees may consider necessary and such member shall be liable for and shall pay all costs of such proceedings on the scale as between attorney and own client and all other expenses and charges incurred in obtaining relief;

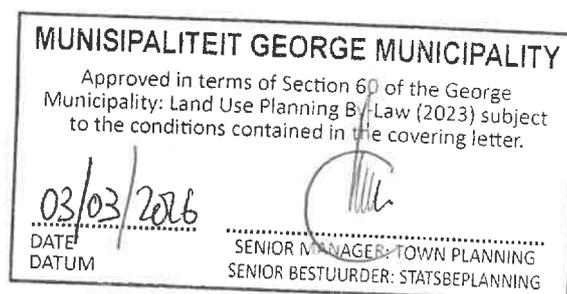
10.1.2.2 impose a penalty levy against the member according to the schedule of penalty levies referred to in this constitution. In cases where the breach is an ongoing one, such levy may in the discretion of the Trustees be repeatedly imposed on a daily, weekly, monthly or annual basis until the breach is remedied.

10.2. If any member fails to make payment on the due date of levies or other amounts payable by such member, the Trustees shall send a notice to such member requiring him to remedy such breach within such period as the Trustees may determine. Should he fail to timeously remedy the breach, the Trustees may, on behalf of the Association,

10.2.1. institute legal proceedings against such member without further notice. Such member will be liable for and shall pay all legal costs on the scale as between attorney and own client together with collection commission and any other expenses and charges incurred by the Association in obtaining payment;

10.2.2. inform the member that, until the breach is rectified, the member may not exercise his vote at any general meeting.

10.3. In the event of any breach of this Constitution by a member's household or invitees or lessees or visitors, such breach shall be deemed to have been committed by the member. Without prejudice to the foregoing, the Trustees shall be entitled to take or cause to be taken such steps against the person committing the breach as they may in their discretion deem fit, with or without proceedings against the member.

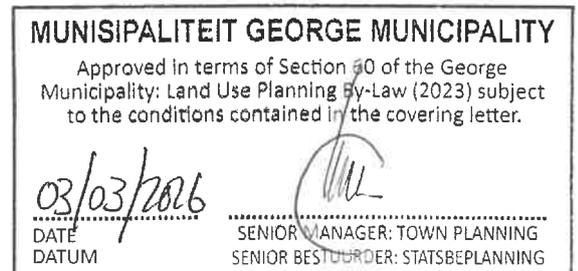


11. Virtual attendance and online voting

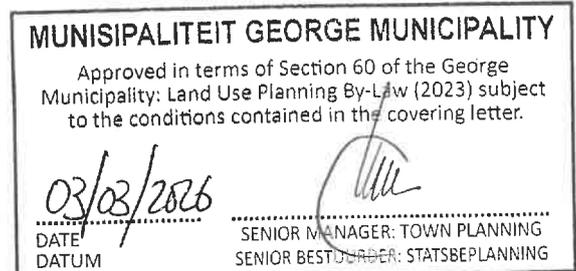
- 11.1. The Trustees shall implement an electronic system whereby members can virtually attend general meetings and Trustees can attend Trustee meetings. Such system must be capable of allowing the member or Trustee to fully participate as if he is present in person and may include the ability to exercise the right to vote. If a separate online voting system as mandated below is adopted, the virtual Attendance system may omit the ability to vote, subject to the provisions of the following clauses. This mandate to the Trustees is subject thereto that a suitable system that complies with the requirements of security, ease of use and effective participation can be found. If no such system can be found, the Trustees will be obliged to reconduct their search at least six-monthly.
- 11.2. The Trustees shall implement an online voting system or systems to allow members to exercise their right to vote in terms of this Constitution. Such a system shall allow members to vote “yes” in approval, “no” in disapproval or “abstain” in respect of a resolution and to elect Trustees. Such system shall comply with the requirements of security, anonymous voting and ease of use and shall not in any way compromise member’s right to vote. The system shall include the facility to audit votes cast. If a suitable system cannot be found, the Trustees will be obliged to reconduct their search at least six-monthly.
- 11.3. If the virtual attendance system and/or the online voting system is capable of ensuring that a member is in virtual attendance at a general meeting of the Association when he exercises a vote in respect of any matter before the members at such meeting, such system may be used for voting at such meeting.

12. Trustees

- 12.1. The number of Trustees of the Association shall be six.
- 12.2. As a general guideline no more than three Trustees should reside in either Kraaibosch Estate or Kraaibosch Manor.
- 12.3. A Trustee shall be an individual and must be a member or the spouse of a member, provided that a member and the member’s spouse cannot be Trustees simultaneously.
- 12.4. All Trustees, irrespective of the date of their election, shall serve from the date of their election or co-option until the date of the next annual general meeting. On condition that the chairperson has announced the result of the election of the new Board of Trustees, all previous Trustees shall be deemed to have retired from office and the term of new Trustees shall commence at midnight on the day of the meeting.
- 12.5. A Trustee shall be deemed to have vacated his office as Trustee upon the date that:
- 12.5.1. his estate is sequestrated, whether provisionally or finally.



- 12.11. If the office of chairperson becomes vacant, the Trustees shall within 48 hours elect another chairperson who shall hold office as such for the remainder of period of office of the Trustees.
- 12.12. A Trustee shall be disqualified from voting at a meeting of the Trustees if such Trustee has any personal interest of any nature whatsoever in the outcome of the resolution other than his interest as a member.
- 12.13. Trustees shall be entitled to be repaid all reasonable and bona fide expenses incurred by them in the performance of their duties as Trustees and/or chairperson, but save as aforesaid, shall only be entitled to such remuneration as decided upon by the members at a general meeting of the Association.



13. Portfolios

The Board of Trustees shall assign each Trustee to one or more of the following portfolios: Finance, Environment, Communication, Security, Infrastructure and Maintenance. The Trustees may, in their discretion, add additional portfolios to this list.

14. Functions, Powers and Duties of Trustees

- 14.1. Subject to the express provisions of this Constitution, the Trustees shall control the business and affairs of the Association and shall have full powers in the management and direction of such business and affairs. This includes the power to make rules consistent with this Constitution to achieve the objectives referred to in this Constitution. The Trustees shall maintain the following rules and guidelines but may, at their discretion or upon the direction of the members, issue such additional rules, guidelines, policies and protocols as may benefit the Association and the members:
 - 14.1.1. Estate rules to create a sound and healthy Estate environment, to ensure and maintain good order and to enhance the safety, well-being and living experience of all members and residents.
 - 14.1.2. A Disciplinary Code to govern and direct disciplinary proceedings against employees of the Association and to provide mechanisms to correct unacceptable behaviour and to create certainty and consistency in the application of discipline.
 - 14.1.3. A Procurement Policy to ensure the most advantageous balance of price, quality, and performance is obtained when purchasing products and services, and to minimize fraud, waste, and abuse in purchasing.
 - 14.1.4. A Voting Protocol that stipulates how member votes must be exercised online and at general meetings in order to ensure fair representation, facilitate orderly decision-making, promote transparency and uphold democratic principles.

- 14.1.5. Trustees' Code of Conduct.
 - 14.1.6. A Governance Framework to provide guidelines on best practices for governance, ethics, and compliance.
- 14.2. The Trustees shall, within 24 hours after they approve new or modified rules, guidelines, policies or protocols, submit same to members for approval.
- 14.3. When online voting is available, members will vote on the new or modified protocol. A majority vote (51%) of members voting will be required for approval.
- 14.4. Until the Trustees have implemented an online voting system, the following procedure shall be followed:
- 14.4.1. The Trustees shall send a notice to members requesting their approval. If at least 10% of members object to the new rules or the changed rules by email to the Trustee Email Address within 7 days from the date that the notice was sent, the matter will be regarded as disapproved by members.
 - 14.4.2. The Trustees may, should the approval by members fail, redraft the rules and seek approval again as per this clause, or the Trustees may submit the rules for approval at a general meeting of members.
- 14.5. No rules or rule changes proposed by the Trustees may be of retrospective effect unless such rules or changes of rules are approved by members at a general meeting.
- 14.6. All rules issued by the Trustees shall become valid on the date it is approved by members, whether by online voting or by lack of objections as set out above. Thereafter it shall be published on the Estate website.
- 14.7. Without in any way limiting the powers granted, the duties and powers of the Trustees shall further specifically include:
- 14.7.1. The keeping of proper books of account and records according to acceptable accounting rules to explain the transactions and financial position of the Association.
 - 14.7.2. Subject to the provisions of the POPI Act, on the application of any member the Trustees shall make all or any of the books of account and records available for inspection by such members.
 - 14.7.3. entering into agreements with third parties on behalf of the Association for any purposes of the Association.
 - 14.7.4. engaging employees on behalf of the Association and defining their conditions of employment.
 - 14.7.5. appointing committees to assist it with its duties and responsibilities. Such committees may include non-members.

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14.7.6. the institution and defence of litigation in the name of the Association and to appoint legal representatives for such purpose (including any application in terms of the CSOS Act), subject to the following:

14.7.6.1. The Trustees may not institute litigation (other than for the collection of levies) or defend litigation without the express approval of members at a general meeting. The Trustees may take initial steps to defend litigation in order to avoid default judgement but may not proceed further with such defence without the express approval of members at a general meeting.

14.7.6.2. If the Trustees regard the institution or defence of litigation to be an emergency that cannot wait for approval at a general meeting, the Trustees may proceed to institute or defend such litigation on condition that they first obtain a written opinion from a practising advocate that affirms that it would be to the detriment of the Estate to delay the institution or defence of the litigation. The Trustees shall nevertheless immediately seek the consent of the members at a general meeting.

14.7.7. Giving effect to the provisions of the CSOS Act applicable to the Association.

14.8. In exercising its functions and duties the Trustees are empowered to establish agreements from time to time with the Kraaibosch Village HOA. Such agreements will be aimed at resolving and settling matters of mutual concern. Each such agreement shall be formally recorded in a co-signed 'Memorandum of Understanding' or MOU between the respective bodies. Each such MOU shall have a unique reference number and shall be deemed to form an integral part of this Constitution, subject thereto that a MOU may modify or cancel a prior MOU without requiring approval of a general meeting of members, but no MOU may otherwise modify the Constitution in any way. Each MOU will be published by the Trustees on the Estate website.

15. Trustee Meeting Protocols and Procedures

15.1. The Trustees shall meet at least once a month. They may regulate their meetings as they deem fit, subject to the provisions of this Constitution.

15.2. Any Trustee may at any time convene a meeting of Trustees.

15.3. The quorum necessary for the holding of any meeting of Trustees shall be four Trustees present personally, virtually or by proxy.

15.4. Trustees shall send a notice to members informing them of the date of a Trustee meeting as soon as possible after the date of a meeting has been determined.

15.5. Any resolution of the Trustees shall be carried by a simple majority of all votes cast. In the case of an equality of votes, the chairperson shall have a casting vote.

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- 15.6. A Trustee may be represented at a meeting of Trustees by a proxy provided by another Trustee. A Trustee may represent only one Trustee by proxy. The instrument appointing a proxy shall be in writing and signed by the Trustee concerned but need not be in any particular form. The proxy shall be deposited with the chairperson at any time before the time appointed for the commencement of a meeting and shall be valid only for such meeting or any adjournment thereof.
- 15.7. The chairperson shall preside as such at all meetings of Trustees. If at any meeting of Trustees, the chairperson is not present within 15 minutes after the time appointed for the holding thereof, those Trustees present, if they constitute a quorum, shall vote to appoint a chairperson for the meeting who shall thereupon exercise all the powers and duties of the chairperson in relation to such meeting.
- 15.8. The chairperson shall ensure that minutes of every meeting of Trustees are produced within 48 hours after the meeting has closed and immediately emailed to those Trustees who were present at the meeting. Thereafter the following procedures shall apply:
- 15.8.1. The Trustees shall, within 48 hours of the emailing of the minutes, provide the chairperson with their views in writing regarding the correctness or otherwise of the minutes. If a Trustee fails to respond, it shall be interpreted that he agrees with the correctness of the minutes.
- 15.8.2. Should the Trustees not agree on the correctness of the minutes the chairperson shall call a meeting of Trustees to decide upon a correct version of the minutes. Such meeting shall be held within 5 days after the date of the meeting in respect of which the minutes are in dispute.
- 15.9. The minutes of meetings of the Trustees together with financial statements shall be emailed to members within 24 hours after the minutes have been certified as correct.
- 15.10. All minutes and relevant reports and documents shall on request, verbal or otherwise be made available for inspection by members.
- 15.11. The minutes of meetings of Trustees, together with all documents considered at Trustee meetings, shall be stored in perpetuity physically and/or electronically.
- 15.12. All members are entitled, subject to a prior request via email and space availability, to attend Trustee meetings as observers but may not speak unless invited by the Chair to do so. If the chairperson decides that observer presence during the discussion of a specific item would breach the right to privacy of a member or members, or any applicable legislation, the chairperson may request the observer/s to leave the room for the duration of that discussion. When the relevant discussion is concluded, the chairperson must recall the observers.

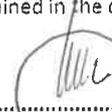
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16. Convening General Meetings

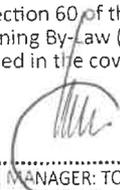
- 16.1. The Association shall, within 3 months of each financial year end of the Association, hold an annual general meeting.
- 16.2. The Trustees shall determine a time and place reasonably accessible to members for the annual general meeting.
- 16.3. The Trustees may, whenever they deem fit, convene a special general meeting.
- 16.4. The Trustees will be obliged to convene a special general meeting if not less than 25% of members request the Trustees in writing to do so. The request must include the erf number, the name and the signature of each member requesting the meeting. If such request is sent by email, the email should be addressed to the Trustee Email Address.
- 16.5. Should the Trustees fail to convene the meeting, it may be convened by the requisitioners themselves provided that notice thereof be given to members in terms of this Constitution.
- 16.6. All the provisions of this Constitution that relate to meetings convened by the Trustees, shall apply to meetings convened by members. The estate manager shall be obliged to assist the requesting members in all respects relating to the meeting, including sending the required notice to members together with such documentation as the requesting members deem necessary.
- 16.7. An annual general meeting shall be called with not less than 21 days' notice and a general meeting with not less than 14 days' notice to all members. The notice shall specify the place, the day and the hour of the meeting and, in the case of special business in addition to any other requirements contained in this Constitution, the nature of that business.
- 16.8. The agenda for a general meeting of members, other than the annual general meeting, shall be set and determined by the convenor/s of the meeting, be it the Trustees or members and other items may be placed on the agenda of the meeting only by the convenor/s.
- 16.9. The notice convening an annual general meeting must, and the notice convening other general meetings may invite members to nominate another member or members or a spouse of a member for election as a Trustee at the meeting. The notice must be accompanied by a nomination form to be signed by the nominating and the nominated members. The nomination must be lodged at the estate office in person or received via email before 16:00 hours on a date 7 days before the date of the meeting.
- 16.10. The accidental omission to give notice of any resolution or to present any document required to be given or sent in terms of this Constitution, shall not invalidate the proceedings at or any resolution passed at any meeting, on condition that such omission is ratified by 60% of members present at such or at a subsequent meeting.

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16.11. The non-receipt of notice of a meeting by any person entitled to receive notice shall not invalidate the proceedings of that meeting on condition that all the conditions for the validity of a meeting are met.

17. Proxies at General Meetings

- 17.1. A member may be represented at any general meeting by a proxy who must be an individual and a member of the Association or the spouse of a member, or the nominee of a member who is a legal person. The instrument appointing a proxy shall be In Writing signed by or for the member concerned on the form supplied by the Trustees for that specific meeting and its postponement, if any.
- 17.2. Where a member is more than one person any one of those persons may sign the instrument appointing a proxy. If the member is not a natural person, the proxy form must be accompanied by a written resolution by the member authorising the proxy.
- 17.3. The proxy form and the supporting documents (if any) must be lodged at the Association offices at least 24 hours before the meeting. The instrument appointing a proxy shall be valid only for the specific meeting or the adjournment thereof.
- 17.4. A member may not represent more than three members by proxy.
- 17.5. If a member is not a natural person, the representative of such member may represent other members by proxy.
- 17.6. A member may cancel a proxy at any time before the proxy holder has exercised the proxy by informing the chairperson of the Trustees in Writing of such cancellation.
- 17.7. Where a member is not a natural person, the member may lodge an authorisation with the Association for a person to represent the member for all purposes and specifically to attend and vote at all general meetings of the Association on behalf of the member. The authorisation shall be in the form as determined by the Trustees from time to time. Such authorisation will remain valid until retracted by the member or when the member ceases to be a member or when the relationship between the authorised person and the member ceases to exist.
- 17.8. The Village member will be represented at any general meeting of the Association by the chairperson of the Kraaibosch Village HOA. Such chairperson may be represented by a proxy who must be a Trustee of the Kraaibosch Village HOA.

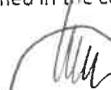
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18. Virtual attendance at General Meetings

- 18.1 Once the Trustees have implemented a virtual attendance system, any member in good standing shall have the right to attend all general meetings virtually and to vote virtually or online, if the virtual attendance system allows voting or once an online voting system has been implemented.
- 18.2 The Association shall provide access information and links to members for the virtual attendance at least 48 hours before the scheduled meeting.
- 18.3 A member opting for virtual attendance may log in to the virtual platform at any time during the meeting. The member's virtual presence will, however, only count towards a quorum if the member is logged in to the virtual platform and his presence noted before the scheduled start time of the meeting and remains virtually present.
- 18.4 virtual attendees shall have the same rights and obligations as physically present members, including the right to speak, make motions, and vote, except that a virtual attendee may not represent other members by proxy.
- 18.5 Members attending virtually are responsible for ensuring they have the necessary technical capabilities and equipment to participate effectively.
- 18.6 The Association shall take reasonable measures to ensure the security and privacy of virtual meetings, including password protection and access control.
- 18.7 Minutes of the meeting shall accurately reflect the presence of virtual attendees and their contributions to the meeting and recordings must be maintained for reference and transparency.
- 18.8 Any technical failure that prevents members from attending a meeting or prevents members from participating in a meeting, or disconnects members from the meeting, shall not invalidate the meeting or resolutions passed at the meeting, subject thereto that the meeting meets the provisions of this Constitution in all other respects.

19. Quorum at General Meetings

- 19.1 No general meeting will be properly constituted unless a quorum of members is present in person, by proxy or virtually. The quorum necessary for the holding of any meeting shall be 20% of the total members entitled to attend and vote, personally or by proxy or virtually.
- 19.2 If, within 30 minutes after the time appointed for the commencement of the meeting, a quorum is not present, the meeting shall stand adjourned. If at such adjourned meeting, a quorum is not present, then members present shall constitute a quorum, provided that, if the meeting was convened by members, the quorum required shall be 20% of the total members entitled to attend and vote, personally or by proxy or virtually.

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- 19.3 If at any time during the meeting members present in person or virtually, leave the meeting and the remaining members are fewer than the number required for a quorum, the meeting shall stand adjourned. If at such adjourned meeting, a quorum is not present, then members present shall constitute a quorum. Any resolutions passed by the meeting while a quorum was present, shall stand and not be part of the agenda of adjourned meeting.
- 19.4 If a general meeting is adjourned for any reason, the Trustees shall, within 24 hours after the adjournment, send a notice to all members informing them of the adjournment and the date, time and place when the adjourned meeting will resume. The date for the resumed meeting must not be less than 14 days or more than 28 days from the date of the original meeting. The date of the resumed meeting must not fall on a Sunday, a public holiday or a long weekend. The notice shall include the agenda of the adjourned meeting and comply with the provisions of this Constitution as regards such notice. All proxies for the adjourned meeting will stand, and members may appoint additional proxies to represent them at the resumption of the adjourned meeting.
- 19.5 In addition to matters required by legislation or by this Constitution, the following matters shall be dealt with at every annual general meeting:

- 19.5.1 the consideration of the chairperson's report;
- 19.5.2 the election of Trustees;
- 19.5.3 the consideration of the financial statements of the Association for the last financial year of the Association preceding the date of such meeting and the approval of the appointment of the Association's Auditors for the next financial year.
- 19.5.4 the consideration and approval, with or without amendment, of the budget as presented by the Trustees and consideration of the levies proposed by the Trustees.
- 19.5.5 any other business pertinent to such meeting.
- 19.5.6 Any member in good standing may, up to 7 working days before the date of a general meeting, submit a written resolution to be considered at the meeting. Such submission must be accompanied by a written motivation and co-signed by at least 15 members. The Trustees will place it on the agenda of the meeting and email it and the motivation to members.

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20. Procedure at General Meetings

- 20.1 The chairperson of the Trustees shall preside as such at all meetings. If he is not present within 15 minutes after the time appointed for the holding thereof, the Trustees present at the meeting shall vote to appoint a chairperson for the meeting. If no Trustees are present at the meeting, the members present, if they constitute a quorum, shall vote for a chairperson for the meeting.

- 20.2 The chairperson shall at the commencement of the meeting, announce whether a quorum is present as stipulated in this Constitution.
- 20.3 Unless any member in person or by proxy at a meeting, before the closure of the meeting, objects to any declaration made by the chairperson of the meeting as to the propriety or validity of any procedure at the meeting, the meeting shall in all respects be deemed to have been properly and validly constituted and conducted. If a member raises such an objection, the Meeting shall decide the issue by majority vote.
- 20.4 The chairperson may, with the consent of a meeting at which a quorum is present, adjourn the meeting to a time and place agreed to by the meeting.
- 20.5 The chairperson shall have the power to allow or disallow non-members to speak at the meeting. A member's spouse shall be entitled to speak at the meeting.

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21. Voting at General Meetings

- 21.1 At every annual general meeting or general meeting every member, including members represented by a proxy shall have one vote per erf registered in his name. If an erf is registered in more than one person's name, the owners of such erf shall jointly have one vote per erf. The Village member shall have one vote.
- 21.2 At any meeting of members, a resolution put to the vote at the meeting shall be decided on in the manner determined by the Voting Protocol. If before the declaration of the result of the voting a ballot vote is demanded by any member, a ballot vote which shall include an online vote, if available, shall be taken in such manner as the chairperson directs.
- 21.3 At any general meeting, a resolution put to the vote shall be decided on an ordinary majority of votes of members entitled to attend and vote, present in person, virtually or by proxy, unless this Constitution directs a higher majority for specific resolutions.
- 21.4 Every resolution and every amendment of a resolution proposed for adoption by members at a general meeting shall be seconded at the meeting and the seconder recorded. If not seconded, the resolution or amendment shall be deemed not to have been proposed.
- 21.5 If a resolution is amended at a general meeting in such a way that it materially changes the essence of the resolution, such resolution shall be regarded as removed from the Agenda. Any votes exercised in respect of such resolution prior to such removal will be disregarded. The decision whether the amendment of a resolution meets the requirement of this clause shall be by a 50% majority vote of members present in person or by proxy.
- 21.6 No resolution may be amended at a continuation of a postponed general meeting due to it not meeting the quorum requirement of this Constitution.

21.7 After voting has taken place, the chairperson shall declare the result of the voting. If no member objects to the result as announced by the chairperson, his declaration shall be deemed to be the final and correct statement of result of the voting. If a member objects, the issue shall be decided by the members who will direct how the correct vote tally will be calculated.

22. Election of Trustees

22.2. A person may only be elected if he is nominated by a member who is eligible to vote and resides in the same part of the estate as the nominee. All nominations shall be on a nomination form approved by the Trustees. The nominee may accept the nomination either on the document or by email. If the member is not a natural person, the nomination form must be accompanied by a written resolution by the member authorising the nomination. Failure to do so shall render the nomination invalid.

22.3. The nomination form shall indicate whether the nominated member resides in Kraaibosch Country Estate or in Kraaibosch Manor.

22.4. The nomination form must contain an acknowledgment by the nominee that he is bound by the provisions of the Constitution.

22.5. A resume containing a brief account of the nominee's education, qualifications, and previous occupations must accompany the nomination form.

22.6. Nominees may supply a motivation for their election as Trustee in the form of a video (not exceeding 60 seconds) or in writing (maximum one page), together with their nomination.

22.7. The nomination form shall be lodged by close of business 10 days before the date of the relevant meeting. The list of nominees, together with their CVs, motivations and other accompanying documents (if any) shall be emailed to all members at least 7 days before the date of the meeting, together with a ballot paper containing the list of nominees in alphabetic order.

22.8. If the number of nominations received are fewer than a quorum of Trustees, the meeting will be adjourned and the rules in this constitution for adjourned meetings will be followed.

22.9. The Trustees will within 24 hours after the meeting is adjourned, send a notice to all members informing them that fewer nominations than required for a quorum of Trustees were received and solicit additional nominations.

22.10. The nominations already received will stand and the current Trustees will serve until the completion of the postponed meeting.

22.11. If at the postponed meeting, there are still fewer nominees than is required for a quorum of Trustees, the members nominated will be regarded as elected as Trustees. The current Trustees will select from their number as many Trustees as is required to form a quorum. The selected Trustees, together with the freshly elected Trustees, will serve as such for the full coming term.

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22.12. Members can cast their votes for Trustees by:

22.12.1 Voting in person by placing the provided ballot paper in a ballot box that the Trustees will make available for that purpose at the estate office
or
voting online, if the Trustees have approved an online voting system
or
voting in person at the meeting in the manner directed by the Chairman.

22.12.2 Voting in person before the date of the general meeting or online will take place during such hours and on the days as determined by the Trustees and communicated to members in the notice convening the general meeting.

22.12.3 For in person voting, the member must provide a form of identification acceptable to the person attending the ballot box. In addition, if the member is not a natural person, and has not, as allowed by this constitution, lodged a power of attorney with the Trustees, a written resolution by the member authorising the person casting the vote, must be presented.

22.13. Every member may vote for as many candidates as he wishes but may not vote for more candidates than are due to be elected. Voting for more candidates than the number to be elected, will render the member's entire vote invalid.

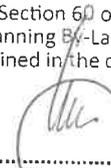
22.14. If there are six or fewer nominees, all those nominated will be regarded as elected as Trustees.

22.15. If there are more than six nominees, and of the six nominees that garnered the most votes, three reside in Kraaibosch Manor and three in Kraaibosch Country Estate, those six nominees will be regarded as elected.

22.16. If there are more than six nominees, and the previous clause does not apply, the list of nominees will be divided into two lists, one containing all the nominees from Kraaibosch Estate and one containing all the nominees from Kraaibosch Manor. If one list contains fewer than 3 nominees, all the nominees on that list will be regarded as elected, and the remaining Trustee vacancies will be filled from the other list. Otherwise, the three candidates on each list that garnered the most votes of the nominees on that list, will be regarded as elected. This clause will only apply if a nominee selected in terms thereof, has garnered the votes of at least 20% of the members voting.

22.17. Should the general meeting for any reason not be able to comply with the provisions of the prior clause, the six nominees that garner the most votes will be elected as Trustees, irrespective of where they reside.

22.18. Unless the general meeting decides otherwise, ballot papers shall be counted by the employees and/or the appointed Auditors of the Association.

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22.19. Should two or more nominees receive the same number of votes and there are more tied nominees than vacancies, the matter will be decided by lot in the manner determined by the chairperson.

23. Minutes Of Meetings

23.1 The Trustees shall ensure that audio recordings are made of every general meeting of the Association. After the meeting, written minutes shall be produced by the Trustees. Such minutes need not be a verbatim transcript of the meeting but must be an accurate representation thereof. The minutes shall then be certified correct at a Board of Trustees meeting within 21 days of the date of the meeting.

23.2 The Trustees shall keep all minute books of meetings of the Association in perpetuity.

23.3 The certified minutes of general meetings of the Association shall be emailed to all members within 7 days after being certified as correct. A member may dispute the correctness of the minutes of a general meeting by submitting a written presentation to the Trustees. The Trustees shall then be obliged to check the correctness of the disputed part of the minutes against the verbatim recording. Should the certified minutes not match the recording, the Trustees shall modify the minutes, re-certify it and send it to the members within 14 days after receiving the dispute.

24. Dismissal of Trustees

24.1 A Trustee or Trustees or the entire Board of Trustees may be dismissed by the Association. If at least 15% of the total number of members wish to effect such removal, they must, in a document signed by all requesting members, request the Trustees to convene a general meeting as stipulated in this Constitution to consider their motion of dismissal. The request to convene the meeting must be accompanied by a memorandum stating which Trustees should be removed and detailing the reasons why the Association should do so. The memorandum should be accompanied by such documentation as the author/s have available to support their position. Should the Trustees refuse or fail to convene the meeting, the estate manager shall convene such meeting.

24.2 The notice by the Trustees convening the meeting shall contain the aforesaid memorandum, as well as such replies, rebuttals and other documents as the targeted Trustee/s may wish to add. It shall also comply with the provisions of clause 16.8 of this Constitution to ensure that, should the motion succeed, a new Trustee or Trustees be elected at the meeting for each Trustee dismissed. The only items on the Agenda of the meeting will the motion stated in the memorandum, and the election of Trustees in the event that the dismissal motion succeeds.

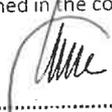
MUNISIPALITEIT GEORGE MUNICIPALITY	
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25 General

- 25.1 The financial year end of the Association is the last day of February of each year.
- 25.2 The Trustees shall ensure that all physical letters and documents shall be archived.
- 25.3 The Trustees shall cause proper books of account and records to be kept to fairly explain the transactions and financial position of the Association including:
- 25.3.1 a record of the assets and liabilities of the Association;
- 25.3.2 a full and complete record of all sums of money received and expended by the Association;
- 25.3.3 a register of members showing in each case their addresses and email addresses; individual ledger accounts in respect of each member.
- 25.4 The Trustees shall cause all books of account and records to be retained in perpetuity after completion of the transactions, acts or operations to which they relate.
- 25.5 The accounts and books of the Association shall be open for inspection by members.
- 25.6 The Trustees shall cause all money received by the Association to be deposited to the credit of an account or accounts with a registered commercial bank in the name of the Association.
- 25.7 Any funds not immediately required for disbursements must be invested in a savings or interest-bearing account with any financial institution recognised by the Reserve Bank or any other registered deposit-receiving institution approved by the Trustees from time to time.
- 25.8 The accounts of the Association shall be audited annually by the auditors appointed by the Trustees according to generally accepted audit and reporting principles.

26 Indemnity

- 26.1 The Association indemnifies every Trustee against all cost, losses and expenses he may reasonably and necessarily incur in the discharge of his fiduciary duty to the Association and the members. This indemnification is subject to the condition that it is not applicable in cases where the Trustee should have obtained the prior consent of the Board of Trustees or the Association.

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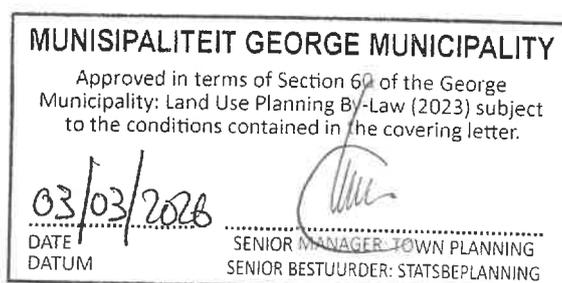
- 26.2 The Association indemnifies every Trustee against all cost, losses and expenses that the Association may incur due to any act, omission or decision by the Association's auditors or other Trustees or contractors. ui.lu
- 26.3 The Trustees shall be entitled to require that every person (other than a member and his family who form part of the household), as a pre-condition of entry to the Estate, complete and sign a written indemnity (in a form approved by the Trustees) in which the Association and its respective officers, employees and agents are indemnified and held harmless in respect of any claims, damages or losses including any personal injury or other harm occurring or arising in or about the Estate.
- 26.4 The Trustees shall further be entitled to procure that the Association is covered by such short-term insurances (including, but not limited to, public liability cover) as is determined necessary from time to time.

27 The Popi Act

The Association and its members will fully comply with the statutory obligations contained in the POPI Act. The Association will only provide, collect, use, store or process personal information in compliance with the POPI Act, as is necessary for the purposes of giving effect to this Constitution and any rules, for the proper control, administration and functioning of the Association and in accordance with the lawful and reasonable instructions of the member providing the personal Information.

28 Domicilium

- 28.1 The Trustees shall from time to time determine the address of the domicilium citandi et executandi of the Association. Failing such determination, such address shall be the address of the estate office of the Association. The Trustees shall give notice to all members of any change in such address.
- 28.2 The domicilium citandi et executandi of a member shall be the street address of the erf registered in his name. The member shall be entitled from time to time to change the said domicilium to a new domicilium in the Republic of South Africa, which change shall only be effective on acknowledgement by the Association of receipt of notice thereof by the Association.

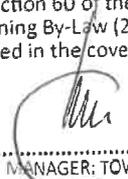


29 Emails

- 29.1 All notices in terms of this Constitution shall be sent by email. If the recipient is a member, the email shall be addressed to the address recorded in the estate register of members. If the recipient is a Trustee or the Board of Trustees or a member of the estate management, the email shall be addressed to the Trustees email address. If the recipient is the Village member, the email shall be addressed to the Village email address.
- 29.2 Members may only rely on the receipt by Trustees of an email by the Trustees if that email is sent to the Trustees email address.
- 29.3 An email sent from a member's email address will be regarded as sent and signed by the member unless the contrary is proven.
- 29.4 The Trustees shall, as soon as possible after the term of each of them commences, ensure that each Trustee is allocated an email address that is located on the official domain of the Association. Such email address shall then immediately be communicated to all members. Trustees shall also ensure that, when a Trustee's term of office ends, his access to that email address is terminated.

30 Amendment

- 30.1 This Constitution may only be amended with the approval of at least 67% of the total number of votes cast at a general meeting or via online voting. If the Trustees decide to have the amendments voted upon at a general meeting, the notice of such meeting shall, in addition to complying with the requirement for the convening of a general meeting, attach a copy of the amended Constitution and the motivation for the amendment. If the Trustees decide to have the amendments voted upon via online voting, a copy of the amended Constitution, together with motivation for the amendment, shall be emailed to members at least 2 weeks before the date of the online voting.
- 30.2 After approval by the Association, the amended Constitution shall, in compliance with clause 29(6) of the Land Use Planning By-Law of George Municipality, 2023, be submitted to the Local Authority for their consent. This Constitution will become effective on the date of approval by the Local Authority.

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30.3 After Approval by the Local Authority, the Constitution shall be submitted to the Commissioner for the South African Revenue Service appointed under section 6 of the South African Revenue Service Act 34 of 1997, or the Acting Commissioner designated under section 7 of that Act as defined in section 1(1);

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